



Corres. and Mail

BOX AF

RECEIVED

93 APR 28 AM 11:08

PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Ronald A. Katz)
Serial No.: 07/803,264) Examiner: T. Brown)
Filed: December 3, 1991) Art Unit: 2601)
For: TELEPHONIC-INTERFACE)
STATISTICAL ANALYSIS)
SYSTEM)
Docket No.: 4646-101NB)

#176
R. Logan
4-26-93

AMENDMENT AFTER FINAL REJECTION

707 Wilshire Blvd., 32nd Floor
Los Angeles, CA 90017
April 19, 1993

BOX AF
Commissioner of Patents
and Trademarks
Washington, D. C. 20231

Sir:

In response to the final office action mailed February 19, 1993, please amend the above-identified patent application as follows:

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Commissioner of Patents and Trademarks, Washington, D. C. 20231.

Date: April 19, 1993

Reena Kuyper

Reena Kuyper

IN THE DRAWINGS:

In Figure 4, delete the label "ENCRYPTOR" in block 102 and insert --ENCRYPTOR-- therefor.

This change is requested in the Request for Approval of Drawing Change filed contemporaneously herewith along with a copy of Figure 4 indicating the change in RED.

IN THE CLAIMS:

Please cancel claim 46, without prejudice, and amend claims 38, 48, 55 and 57 as indicated below.

10 ~~38.~~ (Four Times Amended) An analysis control system for
use with a communication facility including remote terminals for
individual callers, wherein each of said remote terminals may
comprise a conventional telephone instrument including voice
communication means and digital input means in the form of an
array of alphabetic numeric buttons for providing data, said
analysis control system comprising:
interface structure selectively coupled to said
communication facility to interface said terminals for voice
and digital communication and including means to provide
signals representative of data developed by said terminals;
voice generator structure selectively coupled through
said interface structure to said terminals for providing
vocal operating instructions to individual ones of said
callers;

16 record memory means selectively connected to said
17 interface structure for initiating a file and storing data
18 relating to certain select ones of said individual callers
19 including data developed by said [terminal] terminals;
20 designation structure means selectively coupled to said
21 interface structure and said record memory means for
22 assigning individual designation data to substantially all
23 callers and storing said designation data in said record
24 memory means;
25 analysis structure connected to said record memory
26 means for processing said data relating to certain select
27 ones of said individual callers to isolate a subset of said
28 callers; and
29 qualification structure for qualifying the operation of
30 said analysis structure under control of said signals
31 representative of data developed by said terminals.

1 ¹¹⁰⁻⁴⁸ (Twice Amended) An analysis system according to claim
2 ⁴⁵ ~~47~~ wherein said processing means includes means for adding
3 ^{G 2} processing data to said storage means for comparison with
4 processing data from said random number generator means
5 associated with a caller whereby to vary probability of said
6 caller winning.

1 ²²⁻⁵⁵ (Three Times Amended) An analysis control system for
2 use with a communication facility including remote terminals for

3 individual callers, wherein each of said remote terminals may
4 comprise a conventional telephone instrument including voice
5 communication means and digital input means in the form of an
6 array of alphabetic numeric buttons for providing data and
7 wherein said communication facility has a capability (ANI) to
8 provide terminal digital data, for example, indicating a calling
9 number, said analysis control system comprising:

10 interface structure coupled to said communication
11 facility to interface said terminals for voice and digital
12 communication and including means to provide caller data
13 signals representative of data relating to said callers
14 developed by said terminals and said terminal digital data
15 indicative of the calling number using said capability
16 (ANI);

17 analysis structure for processing said caller data
18 signals representative of data relating to said callers
19 [from said digital input means] developed by said terminals
20 to compose and store said terminal digital data indicative
21 of the calling number and said data relating to said callers
22 developed by said terminals in a specific format; and

23 control structure for controlling said analysis
24 structure in accordance with said terminal digital data
25 indicative of the calling number.

1 24-57. (Twice Amended) A system according to claim 55 wherein
2 said analysis structure includes means for initiating a file and

64³₄
con₅

!

[illegible]

Discussion of the Amendment to the Drawings

5

Discussion of the Objection to the Previous Amendments

In paragraph 2 of the final office action, the examiner indicated that the amendments received November 12, 1992 (Paper No. 13) and November 23, 1992 (Paper No. 14), are objectionable for non-compliance with 37 CFR 1.121(b). In Paper No. 14, claim 48, at line 3, inadvertently recited "computer" instead of "comparator". In Paper No. 13, claim 38, at line 18 inadvertently recited "terminal" instead of "terminals." Also, in Paper No. 13, claim 60, at lines 2, 3, 9, 12 and 14, respectively, inadvertently recited "terminal apparatus" instead of "terminals." It is respectfully requested that these changes occurred as a result of errors in typing. The amendments to the claims were bracketed and underlined in compliance with 37 CFR 1.121(b). Entry of these amendments is gratefully acknowledged.

Discussion of the Objection to the Specification and Claim 55

In paragraphs 4 and 5 of the final office action, the examiner objected to the specification under 35 U.S.C. § 112, first paragraph. The examiner indicated that no support is found on page 12 of the specification for the "analysis structure" as "compos[ing] and stor[ing] data in a specific format" as part of its attributed function of "processing said caller data signals...from said digital input means."

The examiner's attention is generally drawn to pages 12-13 of the specification and particularly to page 12, line 9, which specifically mentions "data" being "composed for a caller." The

dictionary definition of "compose" is "to form by putting together." The analysis structure as part of its attributed function assembles or composes and subsequently stores in a specific format "data relating to said callers developed by said terminals with terminal digital data indicative of the calling number. Claim 55 has been amended to clarify the nature of the data composed (assembled) and subsequently stored.

Discussion of the 35 U.S.C. § 112 Rejection of
Claims 38, 48, 54 and 55-58

In paragraph 5 of the office action, the examiner rejected claims 38, 48, 54 (by dependency from 38) and 55-58 under 35 U.S.C. § 112, second paragraph.

With respect to claim 38, the examiner indicated that at line 38, "said terminal" lacks antecedent basis. As set forth above, in Paper No. 13, claim 38, at line 18, inadvertently recited "terminal" instead of "terminals" as a result of an error in typing. The foregoing amendment to claim 38 corrects this error and overcomes the examiner's rejection. Thus, claim 38 is now in a condition for allowance. Claim 54 by virtue of its dependency on claim 38 should likewise be in a condition for allowance.

With respect to claim 48, the examiner required clarification of the phrase "to vary probability." Claim 48 has been amended to address the examiner's rejection by reciting "to vary probability" --of a caller winning--.

With respect to claim 55, the examiner required clarification of the "data" recited at line 18. Claim 55 has been amended to recite --said terminal digital data indicative of the calling number and said data relating to said callers developed by said terminals--. In addition, Claim 55 has been amended to recite consistent terminology. Claim 55 should now be in a condition for allowance. Claims 56 and 58 by virtue of their dependency from claim 55 should likewise be in a condition for allowance.

With respect to claim 57, the examiner indicated that at line 5 thereof, "specific of said callers" is an obvious error. Claim 57 has been amended by deleting "one" before "of said callers" at line 3 of claim 57, which provides clear antecedent basis for "specific of said callers." Claim 57 should now be in a condition for allowance.

Discussion of the 35 U.S.C. § 102(e) Rejection of Claim 46

Claim 46 has been canceled without prejudice.

Discussion of the Rejection of Claims 55-58 over the patents to Riskin and DeFrancesco, et al.

Claim 55 now recites "analysis structure for processing said caller data signals representative of data relating to said callers developed by said terminals to compose and store said terminal digital data indicative of the calling number and said data relating to said callers developed by said terminals in a

specific format; and control structure for controlling said analysis structure in accordance with said terminal digital data indicative of the calling number." It is respectfully submitted that neither the patent to Riskin nor the patent to DeFrancesco, et al., teach composing (assembling) and storing (1) data relating to the callers developed by the terminals along with (2) terminal digital data indicative of the calling number (ANI). In addition, whereas the examiner considers the analysis in the patents to Riskin and DeFrancesco, et al., to be controlled, it is not in accordance with the terminal digital data indicative of the calling terminal (ANI).

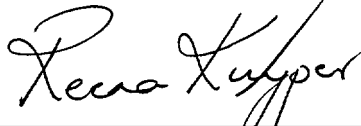
SUMMARY

Based upon the foregoing amendments and arguments in support thereof, Applicant respectfully submits that the present application is in condition for allowance. Applicant therefore respectfully requests reconsideration of this application and that the application be passed to issue.

Respectfully submitted,

NILSSON, WURST & GREEN

By



Reena Kuyper
Registration No. 33,830

(213) 243-8000
Our Docket No. 4646-101NB
4646\101nb.amd